

Serial No.: 10/804,033
Office Action dated June 3, 2008
Amendment dated October 3, 2008

REMARKS/ARGUMENTS

Preliminary Note

Claims 1-18 have been cancelled and new claims 19-37 have been added. These new claims are supported by the specification and drawings as filed. More specifically, the claims are at least supported as follows:

Claim	Supporting Disclosure	Claim	Supporting Disclosure
19	claim 1, para. [00007], Fig. 1	29	as claim 19, plus claim 5
20	as claim 19	30	as claim 19, plus claim 6
21	as claim 20	31	as claim 19, plus claim 8
22	as claim 21	32	as claim 19, plus claim 9, paras. [00037] - [00041], Fig. 7
23	as claim 19	33	as claim 32, plus claim 5
24	as claim 19, plus claim 7, paras. [00035] & [00036], Fig. 6	34	as claim 32, plus claim 6
25	as claim 24	35	as claim 32, plus claim 8
26	as claim 19	36	as claim 32, plus para. [00044]
27	as claim 25, plus claim 2	37	as claim 36
28	as claim 27, plus claim 3		

It is respectfully submitted that such new claims overcome or obviate all of the Examiner's rejections to the former claims for at least the reasons which follow. Reconsideration of the application containing these new claims is respectfully requested.

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Rejections under 35 USC § 112

The Examiner has rejected former claims 1-17 under 35 USC § 112 wherein it was alleged that the inclusion of certain phraseology caused the claims to be indefinite. It is noted that pending claims 19-37 do not contain such phraseology, and it is therefore respectfully submitted that the Examiner's rejection has been obviated.

Rejections under 35 USC § 102 and § 103

The Examiner has rejected claims 1-8 & 15-18 under 35 USC § 102 wherein it was alleged that the subject matter of the claims was anticipated by United States Patent No. 5,892,507 to Moorby et al. (hereinafter designated as "Moorby"). The Examiner has further rejected claims 7-14 under 35 USC § 103 wherein it was alleged that the subject matter of the claims would have been obvious having regard to Moorby in view of United States Patent No. 7,055,131 to Charisius et. al. (hereinafter designated as "Charisius"). It is respectfully submitted that pending claims 19-37 define subject matter which is new and unobvious having regard to both references, for the reasons which follow. In particular, it is noted that at least new claims 20-26 contain features not previously considered by the Examiner.

While similar in form, pending claims 19-37 have been written so as to address the concerns expressed by the Examiner in the Office Action. For example, the pending claims are directed explicitly to "software processes", rather than "processes" as was formerly claimed, and recite "software objects" rather than "objects". The terms "software

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processes” and “software objects” are used in the claims, and in the disclosure, as terms of art as understood by persons in the art. It is submitted that such narrower terminology renders the broad interpretation of Moorby made by the Examiner inappropriate in respect of at least the pending claims.

In particular, it is submitted that Moorby does not teach nor suggest all of the features recited in pending independent claim 19. Moorby does not teach at least a method of illustrating a software process wherein all of the elongated object, the compact object, and the control flow segment respectively representing a software object, an operation operating on that software object, and the control flow mechanism determining the control flow of that operation, are contained in a single vertical column defined by the control flow segment, such vertical column being perpendicular to a horizontally-arranged timeline.

It is at least this orthogonal, column-timeline arrangement required by the claim which distinguishes the presently-claimed invention from the diagrams taught by Moorby. It is noted that a consequence of this inventive orthogonal, column-timeline arrangement is that a portion of each elongated shape representing a software object is placed in each vertical column containing the representations of any operations and control flow mechanisms associated with that software object; in other words, the elongated shape spans the portion of the timeline in which the software object plays a part, and the skilled reader can make this determination instantly and without analysing the logic of the software process. As clearly discussed in the disclosure, at paragraph [00008]:

[...] the advantages of the methodology come from examining the software from multiple starting points and proceeding across orthogonal lines. When examining

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a figure, a reader can start with a high level understanding of the objects by reading across their descriptions within the elongated shapes. An understanding of control flow can proceed across the control flow segments to ensure that control flow is correct and understood. The detailed evolution of an object can be understood by looking at operations that modify the object, and tuning out operations that merely take values. And interactions between objects can also be easily isolated from other parts of the picture. The operation symbols and mnemonics also permit a high level understanding of the algorithm without bogging down in details. [emphasis added]

It is by organizing the representations of software objects, the operations which operate upon them, and the control flow mechanisms which determine the order of operations, in this orthogonal column-timeline manner that enables a viewer to quickly understand the logical/temporal interaction between software objects, operations, and control flow mechanisms without having to work out the logic of the process represented. In contrast, diagrams like that taught by Moorby require the reader to work out the logic of the illustrated process in order to determine the scope of participation of any object, and to identify inter-object operations and control flow. This is reasonably to be expected, as the systems disclosed in Moorby are not particularly directed to a method for illustrating a software process, but are rather directed to graphical user interfaces for authoring multimedia compositions, the desired characteristics of which are not necessarily the same.

In this regard, it is respectfully submitted that the Examiner's mapping in the Office Action of certain features of the former claims with the aspects of Moorby alleged to teach such features (this being quite appreciated by the Applicant) does not produce the method

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of pending independent claim 19. Such is at least the case with respect to the Examiner's mappings with respect to the "objects" formerly claimed, at least as applied to the "software objects" presently claimed as being represented by an:

[...] elongated shape extending longitudinally in the horizontal direction, the elongated shape containing text specifying the software object, and further placing each elongated shape in the diagram so as to be parallel to the timeline and spaced apart in the vertical direction from the timeline [...]

Inasmuch as new claims 20-37 incorporate all of the features of claim 19, which is submitted be novel and inventive in view of all of the references cited by the Examiner, it is submitted that they are also novel and inventive. It is further submitted that the failure of Moorby to teach all of the features of the pending claims, as noted above, is not remedied by Charisius.

In view of the foregoing, early favourable consideration of this application is respectfully requested.

Respectfully submitted,
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